

UNITED STATES DISTRICT COURT
 for the
 Northern District of New York

In the Matter of the Search of)
 (Briefly describe the property to be searched)
 or identify the person by name and address)
) Case No. 8:13-m-515(LAK)
 IN THE MATTER OF THE SEARCH OF AN APPLE)
 IPHONE 5 LOCATED AT 4525 STATE RTE 11,)
 MALONE, NY 12953 (US BORDER PATROL STN))

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Northern District of New York
(identify the person or describe the property to be searched and give its location):
 Please see Attachment A (incorporated by reference)

The person or property to be searched, described above, is believed to conceal *(identify the person or describe the property to be seized):*
 Please see Attachment B (incorporated by reference)

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

YOU ARE COMMANDED to execute this warrant on or before

Nov 8, 2013

(not to exceed 14 days)

in the daytime 6:00 a.m. to 10 p.m. at any time in the day or night as I find reasonable cause has been established.

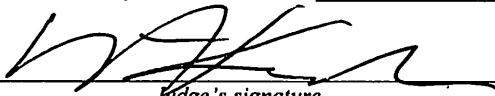
Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge Larry A. Kudrle

(name)

I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized *(check the appropriate box)* for _____ days *(not to exceed 30)*.
 until, the facts justifying, the later specific date of _____.

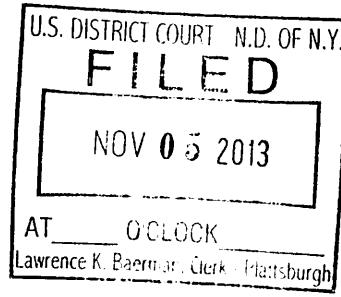
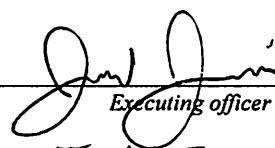
Date and time issued: Oct 25, 2013 12:09 pm


 Judge's signature

City and state: Plattsburgh, New York

Hon. Larry A. Kudrle, United States Magistrate Judge
Printed name and title

AO 93 (Rev. 12/09) Search and Seizure Warrant (Page 2)

<i>Return</i>		
Case No.:	Date and time warrant executed:	Copy of warrant and inventory left with:
8:13-m-515(LAK)	10/30/13 @ 10:00 A.M.	N/A
Inventory made in the presence of:		
Jared Jarvis		
Inventory of the property taken and name of any person(s) seized:		
<u>iPhone 5</u>		
Pictures of maps and text messages relevant to the case.		
Also, pictures of the phone's call log		
 <p>U.S. DISTRICT COURT N.D. OF N.Y. FILED NOV 05 2013 AT 0 O'CLOCK Lawrence K. Baerman, Clerk - Pittsburgh</p>		
<i>Certification</i>		
<p>I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.</p>		
Date:	<u>10/30/13</u>	
		
<i>Executing officer's signature</i>		
<u>Jared Jarvis (Border Patrol Agent)</u>		
<i>Printed name and title</i>		

ATTACHMENT A

The property to be searched is an Apple iPhone 5, serial number DNPJG3VTDTTN, hereinafter the “Device.” The Device is currently located at 4525 State Route 11, Malone, NY 12953 (U.S. Border Patrol Station).

This warrant authorizes the forensic examination of the Device for the purpose of identifying the electronically stored information described in Attachment B.

ATTACHMENT B

1. All records on the Device described in Attachment A that relate to violations of 8 U.S.C. §§ 1324(a)(2), (a)(2)(B)(iii), (a)(1)(A)(ii), (a)(1)(A)(v)(II) and (a)(1)(B)(ii) and involve Manuel Zamora-Rivas, Gonzalo Reyes, and/or Esau Zamora since January 1, 2013, including without limitation:

- a. All communications, including text messages, voicemails, or records of phone calls between or among any of the above-listed individuals;
- b. Any information recording Manuel Zamora-Rivas's schedule or travel from August 1, 2013 to the present;
- c. All GPS records, including all GPS records relating to locations in or around the United States-Canada border, including Churabusco, New York, Chateaugay, New York, and Hogansburg, New York, Dick's Country Store, and any border crossing locations;
- d. All records relating to the rental or attempted rental of a motor vehicle; and
- e. Any events relating to the smuggling or transportation of aliens from Canada to the United States or within the United States.

2. Evidence of user attribution showing who used or owned the Device at the time the things described in this warrant were created, edited, or deleted, such as logs, phonebooks, saved usernames and passwords, documents, and browsing history;

As used above, the terms "records" and "information" include all of the foregoing items of evidence in whatever form and by whatever means they may have been created or stored, including any form of computer or electronic storage (such as flash memory or other media that can store data) and any photographic form.